

Republic of Kenya

EDICT OF GOVERNMENT

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KS 2389 (2012) (English): TOUR OPERATORS -- Code of Practice (Draft Standard)



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Tour Operators- Code of practice

TECHNICAL COMMITTEE REPRESENTATION

The following organizations were represented on the Technical Committee:

Kenya Wildlife Service
Ministry of Tourism
Kenya Association of Hotel Keepers and Caterers
Kenya Tourist Board
Kenya Utalii College
Kenya Association of Tour Operators
Kenya Airports Authority
International Hotel and Tourism Institute
Waldave
Narumoru river lodge
Savage tour and travel
Kenya Bureau of Standards — Secretariat

REVISION OF KENYA STANDARDS

In order to keep abreast of progress in industry, Kenya standards shall be regularly reviewed. Suggestions for improvement to published standards, addressed to the Managing Director, Kenya Bureau of Standards, are welcome.

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Tour operators- code of practice

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Foreword

This Kenya Standard was prepared by the tour guide travel agencies and a related service Technical Committee under the guidance of the Standards Projects Committee, and it is in accordance with the procedures of the Kenya Bureau of Standards.

The quality of visitor experience is fundamental to the success of any tourism business and Kenya as a destination, therefore, requires the development and implementation of a code of practice for tour operators. This code of practice therefore, establishes the minimum requirements for the provision of quality tours designed by tour operators. By complying with and improving these minimum requirements it is hoped that the activities of tour operators will consistently meet and exceed customer expectations in an efficient and cost effective manner.

This standard can be used as a tool by competent authorities under any programme that promotes continual protection of the tourism industry on the international market.

It is envisioned that tour operators will use this guide in conjunction with **KS2214:2010 – Code of Practice for Tour Guides**, to assist in effective administration of their businesses. Users of this standard are encouraged to go beyond the requirements documented here.

Given the increasing importance of the tourism sector to the economy of Kenya, this Code of Practice has been developed to address the following specific concerns:-

- a) the increase in demand for the provision of guided tour services;
- b) The need to provide quality services consistent with improved visitor satisfaction, safety and security to reduce tourism malpractices in the industry.
- c) need to promote care for the environment to ensure sustainability, as well as development of commodity resources used in tours
- d) To uphold the good reputation of Kenya as a tourist destination by ensuring that Kenya Tour Operators maintain the highest standards of service and value.
- e) Encourage tour operators to adhere to ethical business practices.

During the preparation of this standard, reference was made to the following documents:

SLB 8:2011 Tourism services-code of conduct for inbound tour operators
KATO code of conduct
Trinidad and Tobago TTS 580:2001, code of practice for tour operators

Acknowledgement is hereby made for the assistance derived from these sources.

1 Scope

This Code of Practice specifies acceptable guidelines recommended for use as a quality tool by:

- a) tour operators;
- b) tourism service providers;
- c) tour parties

2 Normative references

SLB 8:2011 Tourism services-code of conduct for inbound tour operators
KATO code of conduct
Trinidad and Tobago TTS 580:2001, code of practice for tour operators

3 Terms and definitions

For the purposes of this Code of Practice the following terms and definitions should apply.

3.1

aircraft

any mechanically propelled device that is capable of flight and has been certified flight worthy by the relevant authority

EXAMPLE An aircraft may be a helicopter or an aeroplane.

3.2

all-inclusive

agreed package of the tour including all agreed charges that may be incurred while on tour

3.3

carrying capacity

maximum number of people that can use the tourist attraction, without causing an unacceptable deterioration in the environment and without an unacceptable decline in the quality of the visitor's experience

3.4

destination management services

services provided by a company, which may include contracts with hotels, transportation companies and or other suppliers to create a tour package for resale directly to the consumer or travel agents before the client arrives at the destination

3.5

floating craft

any propelled, passenger-bearing vessel that floats on water

3.6

tour operator

A company that arranges tours locally within a country. Their customers are usually anyone in the world who may have made their own way (either themselves or through another travel company) to that country and destination and purchases a local tour in that country. Some of the services provided include but are not limited to:

- a) Coordinating and handling adhoc / incentive groups
- b) Generating and handling multi -centre holiday packages
- c) Creating hotel and activity innovative packages for special interest groups as well as individual travelers
- d) All types of transfer and transport arrangements
- e) Airport, port and hotel agent representation
- f) Local and pre-booking of excursions and tours

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3.7

motor vehicle

any mechanically propelled vehicle intended or adapted for use on land

3.8

public liability insurance

insurance coverage given to a member of the public for loss of or damage to property or injury to self

3.9

quality

the degree to which a set of inherent characteristics fulfils requirements

3.10

relevant authority

any agency or organization responsible for one or more of the following:

- a) tourism;
- b) licensing;
- c) regulation;
- d) registration;
- e) certification; and
- f) training.

3.11

site and attraction

person, place, thing or event that is intended to attract people's interest, for such purposes as recreation, enjoyment, education, and may be flora and fauna, cultural activity, indigenous people, natural or scenic wonder, man-made theme park, cultural or historic exhibition, or wild life/ecological park

3.12

tour

any prearranged journey to one or more destinations led by a tour guide

3.13

tourism

the act of travel for recreational, leisure or business purposes, and all the provision of services for this act

3.14

tour guide

person who guides visitors in the language of their choice and interprets the cultural, natural and man-made heritage of an area, and who normally possesses an area-specific qualification, usually issued and or recognized by the appropriate authority

3.15

tour itinerary

itemised aspects of the tour including the route and expected times of departure and return of the tour party

3.16

tour package

combination of several travel components provided by one or more suppliers which is sold to the consumer as a single product at a single price

3.17

tour party

individual or group of individuals who is a participant of a tour

3.18

tour representative or director

person associated with the tour operator who oversees the general progress of the tour and monitors the satisfaction of the tour party with the tour package provided

3.19

Travel Agent

Someone who makes travel arrangements for tourists or other travelers, as for transportation, hotels, and itineraries

4 Responsibilities of the tour operator

4.1 The role of the tour operator should be the primary link between the tour party and the local population, culture and environment, through the provision of a range of services for the international and or domestic market.

4.2 The behavior and conduct of the tour operator should reflect the responsibilities that are required of him or her as a representative of the country.

4.3 The major responsibilities of the tour operator should be to:

1. contribute to the promotion and preservation of the national, regional and international tourism sector;
2. contribute to the promotion and preservation of local craft and culture;
3. ensure the conservation of the environment;
4. provide for the safety of the tour party;
5. report any abuse or infraction of the laws to the relevant authority (**see note**);
6. advise the tour organizer/planner of the tour party of the current charges for services or items that may be purchased;
7. provide the tour party with accurate information about transportation, tourist services, social and economic conditions, accommodation and dining facilities and other matters of interest in the country;
8. promote responsible client behavior by advising the tour party on relevant laws of the country, acceptable modes of attire and behavior, cultural and religious practices, and sensitive environmental issues, among others;
9. provide for the comfort, interest and enjoyment of the tour party;
10. monitor and evaluate impacts (economic, social and environmental) of the tour party and the tour, with a view to improving performance;
11. establish and document procedures for the effective response to emergencies, accidents or contingencies;
12. maintain complete and accurate records of activities conducted in the operation;
13. adhere to the principle of best practice compatible with the type of operation;
14. undertake all reasonable steps to accommodate clients with special needs; and

15. ensure that the tour guide's identification is clearly displayed and visible to other persons;
16. does not stop a tourist shopping in a retail outlet or gaining access to or buying goods or a service, including, for example, a travel service offered by an alternative supplier; and
17. does not obstruct a person lawfully advertising or giving information to a tourist about travel or other services
18. not obstruct a tourist's access to an advertisement or information about travel or other services, including, for example, travel services offered by an alternative supplier
19. does not confiscate or withhold tourist's money, passport, personal documents or other property
20. does not exert or use unfair pressure, undue influence or unfair tactics on a tourist
21. does not make a false or misleading representation to a tourist, including, for example, a false or misleading representation about any of the following—
 - a) the existence or location of, or access to, a place or attraction;
 - b) the time required or route used to go to a place or attraction;
 - c) the characteristics of an alternative supplier;
 - d) the quality or availability of products or services offered by an alternative supplier;
 - e) a reason, including the existence of any lawful requirement, for confiscating or withholding a tourist's money, passport, personal documents or other property.
22. Advise tourists and visitors not to purchase merchandise or services on beaches, remove shells or coral from the sea, remove animals or animal parts or plants from Parks, nor commit any criminal act or any act considered criminal by the law including destruction of environment, trafficking in illicit drugs, arms, prohibited antiques, protected species and products and substances that are dangerous or prohibited by national regulations.
23. Respect Kenya's artistic, archaeological and cultural heritage and the benefit of preserving monuments, shrines, museums, and archaeological and historic sites.
24. Not to conduct activities that conflict with the fundamental aims of tourism, or exploit human beings in any form, particularly sexual, especially when applied to children.

NOTE: - the report should include any abuse or infraction of the law.

5 Activities of the tour operator

The tour operator should:

- a) plan and document the tour itinerary;
- b) advertise and market the tour;
- c) make tour arrangements by coordinating all booking and costs with the tour organisation or planner bookings for the tour;
- d) verify that the necessary equipment is available and in sufficient quantity and dimensions relative to the size of the tour party;
- e) ensure that the equipment to be used is in safe working order and has met all inspection and licensing requirements in the country of operation;

- f) ensure that tour guides and staff employed by the tour operator are courteous and adequately qualified to perform their duties;
- g) ensure an effective means of communication between the tour representative and the base of operation or other appropriate contact in order to cater for emergency situations;
- h) inform a responsible third party or relevant authority of the tour itinerary depending on the tour;
- i) liaise with all necessary local suppliers;
- j) establish a ratio of tour guides to the tour party relevant to the type of tour in an effort to ensure delivery of quality service;
- k) ensure that all legal requirements are met;
- l) ensure the availability of evaluation forms for the services provided to the tour party;
- m) ensure that tour guides and staff attend all training or refresher courses approved and recommended by the relevant recognised training institution.
- n) not traffic or use prohibited drugs or narcotics;
- o) inform the tour party as to activities that may cause adverse cultural and environmental impacts;
- p) inform the tour party of products that are illegal (**see note**);
- q) coordinate all bookings and costs with the tour organizer or planner.

Note: products; things that cannot be picked from their natural environment example coral reefs, shells ostrich eggs etc.

6 Hiring practices

6.1 The tour operator should recruit, hire or contract trained tour guides and drivers. Where there is an unavailability of trained tour professionals, tour operators are permitted to recruit untrained persons provided that they are trained under training programs approved by the relevant local authorities, prior to their providing services. The tour operator is responsible and accountable for the performance and actions of the staff.

6.2 The tour operator should recruit/hire/contract trained personnel who are competent to perform the tour and who satisfy any requirements specified in the advertising of the tour. In addition, drivers should be holders of valid driver's licenses, certified under the relevant statute and should ensure that their vehicles meet all the necessary guidelines for safety and security.

6.3 The tour operator shall conduct the necessary training and monitoring programs to ensure that all staff under its operations (contractual or regular) are informed about and comply with all applicable national traffic, vehicle safety driving laws and regulations.

6.4 Subcontractors should meet the same standards of training and licensing as the tour operator.

6.5 Tour buses should comply with the roadworthiness regulations of the relevant authority with responsibility for transport licensing.

7 Appearance and competence

Staff of tour operators should:

- a) Be attired in accordance with the policy of the tour operator while on duty;

- b) Ensure that good personal hygiene practices are observed while on duty;
- c) Be medically and physically able to perform any strenuous activity required by the type of tour being offered;
- d) Be clearly identified as such and should wear a badge, pin or uniform;
- e) Have broad knowledge of the tourism product (s)

EXAMPLE:- tourism products include but are not limited to the relevant country's history and culture, geography, flora and fauna, wildlife, heritage sites.

- f) Have good interpersonal and communication skills.

8 Conducts

8.1 Legality

Tour operators should conduct their business lawfully and in full compliance with all legislation and regulations pertinent to the type of operations.

The tour operator's liability to passengers carried in its own vehicles is governed by the laws of the republic of Kenya and no other country and all claims are subject to the jurisdiction of the courts of the republic of Kenya.

8.2 Ethics

8.2. A tour operator must act honestly, fairly and professionally in carrying on the business of a tour operator.

8.2.2 Proper accounting practices and procedures should be established and maintained.

8.2.3 Tour operators should attempt to ensure that suppliers and contractors and all other persons with whom they have commercial relationships, operate in a similar manner.

8.2.4 Must treat tourists honestly and fairly.

8.3 Skill, care and diligence

A tour operator must exercise reasonable skill, care and diligence in carrying on the business of a tour operator.

8.4 High-pressure tactics or harassment

A tour operator must not, in dealing with a person in relation to a travel package arranged by the tour operator—

- (a) Use high-pressure tactics or harass the person; or
- (b) Encourage or engage another person to use high-pressure tactics or harass the person; or
- (c) Condone the use of high-pressure tactics or harassment of the person by any other person.

Examples—

- 1 Engaging in conduct that unreasonably compels a tourist to comply with a request or demand
- 2 Taking unfair advantage of a superior bargaining position relative to a retailer of souvenirs

8.5 False or misleading representation

(1) A tour operator must not, in dealing with a tourist using a travel package arranged by the tour operator—

- (a) Make a false or misleading representation to the tourist; or
- (b) Encourage or engage another person to make a false or misleading representation to the tourist; or
- (c) Condone the making of a false or misleading representation to the tourist by any person.

(2) A tour operator must not make, encourage or engage another person to make, or condone the making of, a false or misleading representation about any of the following relating to the travel package—

- (a) The mode and standard of transport used for transfers and sightseeing;
- (b) The existence or location of, or access to, a place or attraction;
- (c) The time required or route used to go to a place or attraction;
- (d) The standard, style or price of accommodation;
- (e) The standard or price of food or beverages;
- (f) Guiding services;
- (g) The price of entry to tourist attractions, tours, entertainment or other activities including, for example, whether the price is included in the travel package;
- (h) Restrictions that apply to the travel package, including, for example, restrictions about baggage, children, seat allocation or smoking;
- (i) Conditions about reservations, payment, refunds or cancellations;
- (j) The management of tours included in the travel package.

(3) A tour operator must ensure—

- (a) that a quotation given by the tour operator for goods or a service included in a travel package discloses the total cost of the goods or service, including any taxes or other charges payable by a tourist; and
- (b) That an advertisement or promotional material about goods or a service included in a travel package arranged by the inbound tour operator discloses any conditions or restrictions applying to the supply of the goods or service.

8.6 Advertising

8.6.1 All services advertised by the tour operator should be authentic and accurate and should be provided as advertised to clients.

8.6.2 Advertisements should:

- a) Describe fairly and accurately, the services provided;
- b) Clearly state the exact goods and services that are included in the tour for the price quoted, which includes service charges, taxes and other surcharges under the terms and conditions of the tour;
- c) Specify the language in which the tour will be conducted;
- d) Indicate the level of physical activity required to participate in the tour; and
- e) Indicate approximate duration of the tour.

8.7 Tour not to be dominated by shopping

(1) A tour operator must not use undue influence or high-pressure tactics to have a tourist go shopping instead of doing all or a part of another activity the tourist may reasonably have expected to do as part of the tourist's travel package.

(2) A tour operator must ensure that a travel package arranged by the inbound tour operator for a tourist does not consist predominantly of shopping excursions unless—

- (a) The tour operator and tourist agree, before the travel package starts, that the package is to consist predominantly of shopping excursions; or
- (b) The tourist consents, during the course of the travel package, to it consisting predominantly of shopping excursions.

8.8 tour operator not to charge for free goods or service

Tour operators must not charge a tourist for goods or a service that are available free of charge to the public.

Examples—

- 1 Charging for a brochure or map that is available free of charge

2 Charging for entry to a beach or public park for which no entry fee is payable.

8.9 Provision of goods or services included in travel package

(1) An tour operator must ensure that goods or a service included in a travel package arranged by the tour operator are provided in accordance with any representation about the goods or service made in an itinerary, quotation or promotional material for the package.

(2) if, because of circumstances reasonably beyond the tour operator's control, goods or a service (**the unavailable component**) are unavailable when required to be provided under the package, the operator must—

(a) Provide, as far as reasonably practicable, goods or a service of a similar type, value and quality as the unavailable component; or

(b) If the operator cannot reasonably comply with paragraph (a), refund the cost of the unavailable component.

(3) However, if goods or a service of a similar type, value and quality are unavailable, an inbound tour operator may, with the informed consent of the tourist who purchased the travel package, substitute other goods or another service of similar quality.

8.10 Unconscionable conduct

Tour operators must not engage in unconscionable conduct when providing services to tourists.

Unconscionable conduct may include:

- a) Abusing your or an associate's bargaining strength, such as threatening to prevent tourists from attending a trader's premises unless the trader pays you a commission
- b) Using undue influence, pressure or unfair tactics, such as taking tourists' travelers cheques, credit card or passport so they can only shop in premises that pay you a commission
- c) Failing to tell the tourist about any of your intentions that affect them, such as altering their itinerary so they spend more time in shops
- d) Failing to tell the tourist about your relationship with another entity providing services to them, such as owning any part of it, or receiving payments or benefits from taking tourists to a particular trader
- e) Allowing tourists to be taken advantage of due to their cultural, language or religious characteristics
- f) Acting unfairly towards a tourist so they use only your services when other identical or equivalent services are available
- g) Acting unfairly towards a tourist by leading them to certain places to shop, or using unreasonable tactics to sell goods and services when the same or similar are available elsewhere, possibly cheaper
- h) Dissuading or preventing a tourist from making a free choice about where to eat, shop, stay or visit when they should reasonably be able to make that choice
- i) Treating tourists inconsistently with other tourists around them, such as taking the tourists to a different theme park entrance where they cannot see the admission prices
- j) Deceiving or misleading tourists, such as telling them a retailer's goods are 'good value' when you know that the same or similar goods are available cheaper elsewhere, or lying to tourists that certain goods from particular retailers are likely to be confiscated by customs
- k) Breaching the industry code of conduct you are bound by.

9 Facilities

9.1 The tour operator should have well maintained facilities with established means of communication with potential customers and staff.

9.2 The tour operator should have facilities for financial transactions.

NOTE Facilities for financial transactions may include means for the customer to pay for a tour such as cash box, debit card or credit card facilities.

9.3 The tour operator should provide access at the office to:

- a) Clean washrooms;
- b) Sheltered seating; and
- c) A reception area adequately staffed to handle enquiries.

9.4 The tour operator should, as far as possible, provide facilities for the use of persons with special needs.

NOTE:- Facilities may include a wheelchair ramp, sign language interpretation, audio description or other accommodation deemed necessary for the particular tour.

9.5 The tour operator who operates a virtual office, that is web-based services, should secure appropriate facilities to meet the needs of clients. Care should be taken to ensure secure financial transactions between the operator and clients.

10 Equipment

10.1 General

10.1.1 All equipment, provided on the tour, should be well maintained, clean and in safe working condition at the time of the tour.

10.1.2 All equipment should be properly calibrated, where necessary. The tour operator should keep records of maintenance and calibration checks.

10.1.3 The tour operator should verify that all users of equipment are properly trained and certified, where relevant, to operate their equipment competently and safely and are able to conduct emergency repairs. Additionally, the basic tools needed for such repairs should be provided to the users.

NOTE:- Emergency repairs may include changing a flat tyre and restarting a stalled engine.

10.1.4 Where relevant, the tour operator should provide a checklist to be signed by the tour party indicating that the equipment was received in good working order.

10.1.5 Where necessary, the tour operator should provide a guide for the use of equipment and ensure that the tour party fully understands how to operate the equipment safely.

10.2 Motor vehicles, floating craft, aircraft

10.2.1 All of the above should satisfy legal and regulatory requirements including those relating to registration, insurance, safety equipment and roadworthiness, seaworthiness or airworthiness status based on inspections conducted by, or on behalf of the relevant authority.

10.2.2 Where applicable, any motor vehicle, floating craft or aircraft used for the transport of tour parties should offer the option of air conditioning and a public address system.

10.3 Safety equipment

10.3.1 All safety equipment provided on tours should undergo checks based on a fixed inspection and maintenance schedule and in accordance with national regulations, where applicable.

10.3.2 All equipment should be thoroughly examined prior to use on a tour for apparent defects.

10.3.3 The quantities of the safety equipment should be adequate in relation to the size of the tour party.

NOTE Safety equipment may include seat belts, life vests, ropes, harnesses, helmets, protective clothing, portable radios, flares, fire extinguishers, first aid kits, flashlights and toolboxes.

10.4 Other equipment

All other equipment provided on tours by the inbound tour operator should meet the guidelines stated in 10.1 and the regulations of the relevant authority, where applicable.

Examples of other equipment include canoes, gliders, hot air balloons, boots, public address systems, binoculars, snorkeling and scuba diving equipment.

11 Insurance

All tour operators should have adequate public liability insurance that sufficiently covers the entire scope of operations of the tour.

All tour operators should in as far as possible encourage their clients to have travel insurance to cover any eventuality.

12 Bookings

12.1.1 The tour operator should have facilities and documented procedures to handle walk-in clients and reserved bookings.

12.1.2 The following information on the tour should be provided:

- a) the type of tour;
- b) tour costs;
- c) tour dates;
- d) accepted size of tour parties;
- e) transportation;
- f) equipment; and
- g) recommended attire.

12.1.3 The members of the tour party should be informed of:

- a) the level of physical activity required;
- b) duration of the tour; and
- c) conditions and general climatic conditions expected for the tour.

12.1.4 Where the tour is particularly rigorous, it is recommended that each member of the tour party sign an agreement as to their fitness and willingness to partake in the tour.

12.1.5 Information on payment, cancellation and refund policies of the tour operator should be separately stated on the tour brochure.

12.1.6 The tour operator should also inform the tour party of any policy pertaining to lateness with respect to organized tours.

12.1.7 The tour operator should inform the tour party if the tour fee is "all-inclusive" or if the tour party will incur miscellaneous fees or taxes while on or after the tour.

12.1.8 The tour operator should document contact information for members of the tour party, in order to provide relevant information with respect to the proposed tour or itinerary.

12.1.9 The tour operator should indicate the meeting point and time for the tour party.

12.1.10 The tour operator should have the relevant emergency contact information for all members of the tour party.

12.2 Alterations to or Cancellation of Tours or Travel Arrangements

12.2.1 When alterations are made to travel arrangements for which bookings have already been accepted, tour operators shall inform their clients immediately they are advised of the situation by a Principal, or another travel concern and act as intermediaries between such Principals and their clients in any subsequent negotiations.

12.2.2 An operator shall not cancel a tour or travel arrangements after the date when payment of the balance of the price becomes due unless it is necessary to do as a result of hostilities, political unrest or other circumstances amounting to a force majeure.

12.2.3 The operator shall inform agents and direct clients without delay and shall offer the choice of an alternative tour or travel arrangements, at least comparable in standard, if available. Alternatively, a prompt and full refund of all money paid less reasonable expenses shall be made.

12.2.4 Should a material alteration become necessary to a tour or travel arrangement for which bookings have already been made, the tour operator concerned shall inform clients the choice of either accepting the alteration, which must be of comparable standard, or of receiving a prompt and full refund of all money paid, less reasonable expenses when the alteration is due to circumstances amounting to force majeure.

12.3 Cancellation by Clients

An operator shall clearly state in his booking conditions the cancellation fees which the client shall be liable to incur, as well as the terms and conditions under which the client shall be liable to incur such fees.

13 Reception for tour party

The tour operator should either meet the tour party or arrange for a representative to do so. The tour party should be directed to a strategic point where formal introduction to the tour representative may take place and a pre-tour briefing should be given. During the pre-tour briefing the operator should, among other things:

- 1) Provide the clients with relevant information and guidance on:
 - a. responsible client behavior as in 3 h); and
 - b. the agreed tour itinerary so as to enable clients to develop realistic expectations for their interest, safety and enjoyment during the tour; and
- 2) Help clients make any adjustments that may be necessary for the tour, paying particular attention to clients with special needs.

14 Difficult situations

14.1 The operator should have a documented system to address situations which include but are not limited to the following:

- a) Lost items;
- b) Disruptive or undesirable behavior from one or more members of the tour party;

- c) Sickness and injury;
- d) Missing or lost members of the tour party;
- e) Mechanical failures;
- f) Adverse weather conditions or natural disasters; and
- g) Any other situation that can be considered hazardous or life threatening.

14.2 The tour operator should establish and document a contingency plan and ensure that this plan is communicated to all staff and subcontractors of their operations.

14.3 The tour operator should provide emergency numbers to all staff and subcontractors.

15 Post-tour evaluations

The tour operator should maintain a post-tour evaluation system which includes feedback about the tour for improvement of services. Electronic or manual post-tour evaluation forms should be made available, where employed.

16 Complaints

Systems should be implemented for dealing with customer complaints. When faced with a complaint, the inbound tour operator or representative should:

- a) Determine the nature of the complaint;
- b) Investigate the complaint;
- c) Address the complaint in a timely manner;
- d) Select and implement an appropriate solution aimed at addressing the complaint or rectifying the relevant procedure or process;
- e) Follow up as required;
- f) Document the complaint and solution for future guidance;
- g) Monitor the action taken to avoid repetition of the complaint; and
- h) Direct the persons involved to the relevant authorities to lodge their complaints in cases where complaints cannot be rectified between tour operator and tour party member,

17 Record keeping

17.1 The tour operator should establish and maintain records, to provide evidence of conformity to this Code of Practice.

17.2 Records should be legible, readily identifiable and retrievable.